

REMARKS

Claims 1-9 and 20-28 are listed as pending in the application, which claims have been rejected.

Entry of the above amendments and withdrawal of the rejection of the claims is requested.

DISCUSSION

Rejection of Claims 1-9

The Examiner first rejected claims 1-9 under the doctrine of obviousness-type double patenting over claim 1 of U.S. Pat. No. 6,426,341 ('341 hereinafter), directed to a generic ARI and a COX-2 inhibitor, in combination with U.S. Pat. No. 6,730,674 ('674 hereinafter), which claims the compounds of formula II of the compositions of instant claim 1.

In response thereto, Applicant directs the Examiner's attention to the instant cancellation of the compounds taught by the '671 reference, i.e., the compounds of formula II, from instant claim 1, as well as the individual species of the compounds of formula II from claim 4.

The Examiner further rejected claims 1-9 under the doctrine of obviousness-type double patenting over claims 1 and 2 of U.S. Pat. No. 6,413,965 ('965 hereinafter), which claims compositions comprising an ARI and specific COX-2 inhibitors, in combination with the teachings of the '674 reference discussed hereinabove.

In response thereto, Applicant submits that the above amendment to claim 1 canceling the compounds of formula II has rendered the second obviousness-type double-patenting rejection moot.

Reconsideration and withdrawal of the rejections of claims 1-9 are requested.

Rejection of Claims 20-28

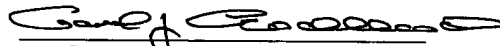
The Examiner rejected claims 20-28 under 35 U.S.C. §112, first paragraph. The Examiner's position is that the instant specification is not reasonably enabling for the claimed methods of preventing or treating cardiac tissue ischemia.

In response thereto, Applicant has canceled instant claims 20-28, thereby obviating the rejection.

All claims are now in condition for allowance. Such prompt and favorable action is solicited.

Respectfully submitted,

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